

### **REMARKS**

Claims 3, 4, 7-10, 12 and 14-22 are currently pending in this application. Claims 3, 4, 7, 9, 12, 14, 15, 18, 19, 21 and 22 are independent. Claim 15 has been amended to more appropriately define the present invention. Claim 22 has been amended to correct a typographical error. Applicants respectfully request entry of the claim amendments contained herein and earnestly solicit timely allowance of the application.

### **Allowable Subject Matter**

In the outstanding Final Office Action, the Examiner allowed claims 3, 7-10 and 14. Applicants wish to thank the Examiner for the indication of allowable subject matter.

### **Claim Rejections – 35 U.S.C. § 102**

The Final Office Action indicated that claims 15-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 6,738,075 to Torres et al ("Torres"). Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

Torres merely discloses a digital capturing and reproduction apparatus which displays a variety of media types, such as images, video and audio (column 2, lines 37-45). Once media objects are created and subsequently stored, the user may view these media objects by switching the camera to play or review mode. Torres discloses an additional mode of the camera whereby a user may edit a video which has been captured by the camera. In this mode, a video editing screen 430 displays a movie graph 432 in the film strip 352 showing a pictorial representation of a video's duration, a position of playback

head 434, and cue locations 436 and 438 that mark significant moments in the video. The video's duration can be sized to fit the length of the movie graph 432 or scaled up and down via the "Zoom In" and "Zoom Out" soft key functions. A preview pane 440 is provided to playback that portion of video (i.e., the user selected portion) shown in the filmstrip 352 (column 13, lines 40-50). The cursor locations 436 on the left and right sides of the movie graph 432 control scrolling. The user may play back the video by navigating to the "Preview" item in the list page 402, causing that portion of video to play in the preview pane 440.

Conversely, Torres fails to disclose, at least, "a first display that displays some predefined frames comprising the moving image as multi-images, wherein the multi-images are index images of the moving image," as recited in claim 15.

Torres is distinguished by the present invention in that Torres discloses an apparatus which allows the user to interactively edit portions of a video after they have been acquired. In doing so, the user selects, by virtue of which portion of the video the user wishes to edit, and may play back relevant portions in preview pane 440 by selecting the appropriate cursor locations in the movie graph window 432.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 15. Claims 16 and 17 depend from claim 15, and are allowable at least by virtue of their dependency.

Regarding claims 18 and 22, Torres discloses an embodiment of the apparatus wherein a review mode screen is presented. This review mode screen includes a film strip 352, the icon information area 306 for displaying the media type icons associated with the active media object 302, a large thumbnail 354 showing a larger view of the active media

object 302, and the command bar 310 (column 7, line 53 through column 8, line 4). Here, the film strip 352 displays four thumbnail images at a time. Each thumbnail image represents a different media object, which may include a moving image object or a still image object. The user may navigate through a series of displayed thumbnails 350 in the display screen 140 using the four-way navigation control 200. When the user holds down the left-right buttons on the four-way control, thumbnails 350 are scrolled off the display screen and replaced by new thumbnails representing other stored media objects. This scrolling function permits the user to quickly browse through a large number of media objects stored within the camera memory. (See column 8, lines 5-13.)

Conversely, Torres fails to disclose, at least, “a first display that displays an image related to a moving image on the image monitor when the file selected by the selecting device contains image data of the moving image, wherein the image is presented in a dynamic manner, and displays a still image on the image monitor when the file selected by the selecting device contains image data of the still image,” as recited in claim 18 (emphasis added), and “providing a first display mode which displays a portion of the moving image in a dynamic manner to indicate the file represents the moving image,” as recited in claim 22 (emphasis added).

Torres is distinguished by the present invention in that Torres scrolls all of the image objects, whether they be still image objects or moving image objects, at the behest of a user who wants to quickly survey the image objects by scrolling them across a screen. As disclosed by Torres, all of the image objects, both moving and still images, would be displayed in a dynamic manner merely to facilitate the browsing of the storage device located within the camera.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 18 and 22.

Regarding claims 19 and 21, Torres merely discloses another embodiment of the digital imaging device whereby a user is presented with an audio editing screen for editing audio media types (column 14, lines 40-41, Figure 18). Torres further discloses that the audio editing screen 450 appears and operates like the video editing screen 430, except that a wave form 452 depicting the recorded audio is displayed in the film strip 352. The user may hear the audio by selecting "Play" in the list shown 402 or insert cues by selecting a "Cue" item (column 14, line 41-47). In an unrelated embodiment, Torres further discloses the ability for the digital imaging device to present a slide show. In this mode, a still image is played by displaying the image for a predefined time on the display screen 140 by playing any associated audio. Sequential images are played back by displaying each still comprising the sequential image by playing any associated audio. (See column 11, line 65 through column 12, line 7.)

Conversely, Torres fails to disclose, at least, "a selecting device that selects a file of an image from a storage medium storing files of images with sound ... a choosing device that chooses between image reproduction with the sound and image reproduction without the sound," as recited in claim 19, and "a selecting device that selects a file of an image from a storage medium storing files of the images with the sound and files of images without the sound ... a choosing device that chooses between image reproduction with the sound and image reproduction without the sound," as recited in claim 21.

Torres is distinguished by the present invention in that Torres merely discloses an editing mode whereby a user edits an audio clip. Torres further is distinguished in an

unrelated embodiment in that Torres allows the user to play associated audio while an image is being displayed during a slide show. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 19 and 21. Claim 20 depends from claim 19 and is allowable at least by virtue of its dependency.

### **Claim Rejections – 35 U.S.C. § 103**

The outstanding Office Action further indicated that claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Torres. Applicants respectfully traverse this rejection.

Torres is directed to a viewer and an editor for still/moving images. According to Torres, though it is easy to preview a moving image currently being edited (e.g., preview pane 440), a user has to perform operations to preview the moving image (e.g., define a clip by setting cues 438; see column 13, lines 51-64).

Conversely, Torres fails to teach or suggest, at least, “a second display that consecutively and repeatedly previews some frames of a moving image on the image monitor when the file selected by said selecting device contains image data of the moving image,” as recited in claims 4 and 12. In other words, according to claims 4 and 12, when a file of a moving image is selected, some frames of the moving image are automatically, i.e. consecutively and repeatedly, displayed without any additional operation by a user. The user will recognize that the selected file is for a moving image.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 4 and 12.

**Conclusion**

In view of the above amendments and remarks, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

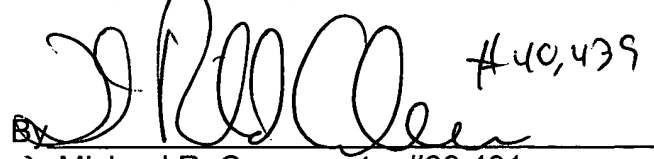
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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